

Administrative Appeal Guidance Document

In addition to this document refer to Legislative Bills 1051, 1060, 1061 & Resolution 101, Rules of Procedure which are available on the County website, www.talbotcountymd.gov, click on land management, click on Planning & Zoning, click on Board of Appeals to find the above regulations and applications.

Administrative Appeal – A proceeding upon an application alleging error by an administrative official or by the Planning Commission in any final order, requirement, decision, or determination under the Talbot County Code.

The steps below are provided to help with the process of filing an administrative appeal.

- Applications for administrative appeals shall be filed within 30 days of the date of final order, requirement, decision, or determination, unless separate legislation establishes a different time period. Application forms can be picked up at the Board of Appeals office or visit the County website as noted above. The completed application shall be filed along with the appropriate fee.
- You must file an original application with sufficient number of copies along with exhibits to the Board of Appeals Office. Every person filing any document with the Board shall serve a copy upon every other party of record and upon counsel to the Board, which the Board's counsel may be left with the Board's Administrative Assistant. Service upon a party represented by counsel shall be made upon the party's counsel.
- Service to other parties shall be made by first class mail, postage prepaid, addressed to parties of record as shown in Board's file. All documents filed with the Board shall be accompanied by a Certificate of Service, signed by the party effective service of his counsel, certifying that service has been made in accordance with Rule 6, of Rules of Procedure found in Resolution 101.
- The applicant shall provide a simple and complete narrative statement setting forth in full detail the facts upon which the applicant relies to support any claim for relief.
- Any County agency, department or commission shall file a "Notice of Intention to Participate" within 15 days after being served with a copy of the application.
- Any adjacent property owner receiving notice under §20-7 may file a "Notice of Intention to Participate" which shall be filed within 15 days after receiving the notice of the application.

- The applicant shall file original and 7 copies this includes copy for Board's Counsel of the pre-hearing statement no later than 30 days prior to the public hearing and shall serve a copy on all parties of record. Refer to §20-14 of the Talbot County Code.
- County Departments, Commissions, agencies, or persons or associations intending to appear in opposition to an application, whether or not represented by counsel, must file a similar pre-hearing statement no later than seven days prior to the date of the hearing. Refer to § 20-14 of the Talbot County Code.
- Secretary to the Board will mail notices to adjacent property owners 30 days prior to the date scheduled for the public hearing. The notices will also notify the adjacent property owners if they wish to contest the application they must file a "Notice of Intention to Participate." Refer to § 20-13.
- Subpoena forms are available on our website, please complete and return to the Board's Secretary to sign and stamp with Board's seal. After signature and seal are completed the applicant/agent for an administrative appeal will be responsible to serve the subpoena(s). Return a copy along with a certificate of service to the Board of Appeals office.